



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120

January 24, 2024

IN REPLY PLEASE
REFER TO OUR FILE

A-2021-3023652

TO ALL PARTIES OF RECORD

Application of South Whitehall Township for approval of the alteration of the public crossing (DOT 591 377 F) where Eck Road crosses, at grade, the track of Norfolk Southern Railway Company located in South Whitehall Township, Lehigh County.

To Whom It May Concern:

By Amended Secretarial Letter dated November 1, 2022, we directed the alteration of crossing (DOT 591 377 F) where Eck Road crosses, at grade, the track of Norfolk Southern Railway Company located in South Whitehall Township, Lehigh County. All work at the subject crossing was to be completed on or before June 30, 2023.

By letter petition received on January 15, 2024, Langan Engineering and Environmental Services, Inc. (Langan) on behalf of South Whitehall Township requests the Commission grant an extension of time in which to complete the project. No revised completion date was provided in the letter petition. Langan avers that additional review time is needed by approval agencies.

Langan failed to serve the petition on the parties of interest. However, we determine that the request for an extension of time to complete construction of the project is needed and will be granted provided that the parties to this proceeding do not state any objections to this Secretarial Letter within the period of time prescribed herein.

We have carefully reviewed the record in this proceeding and will grant South Whitehall Township's petition for an extension of time to January 31, 2025.

THEREFORE:

The petition received January 15, 2024, from Langan Engineering and Environmental Services, In. on behalf of South Whitehall Township be and is hereby granted to the extent herein directed:

1. Paragraph 16 of our Amended Secretarial Letter dated November 1, 2022, which reads as follows, to wit:

“16. The alteration of the crossing be completed on or before June 30, 2023, and that on or before said date, South Whitehall Township report to this Commission in writing the actual date of completion of the work.”

be and is hereby modified to read:

16. The alteration of the crossing be completed on or before January 31, 2025, and that on or before said date, South Whitehall Township report to this Commission in writing the actual date of completion of the work.

2. In all respects not inconsistent herewith, our Amended Secretarial Letter dated November 1, 2022, remains in full force and effect.

The Parties are reminded that failure to comply with this or any Order or Secretarial Letter in this proceeding may result in an enforcement action seeking civil penalties and/or other sanctions pursuant to 66 Pa. C.S. § 3301.

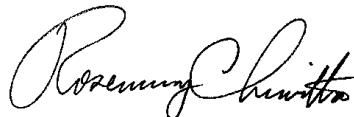
All formal documents must be filed with the Secretary of the Commission. Documents must be eFiled, mailed or hand delivered. All filings should be addressed to the Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. The Commission will not accept documents delivered by fax or by e-mail. Parties are encouraged to file formal documents by eFiling with the Secretary of the Commission by opening an eFiling account through the Commission's website (the account is free of charge) and accepting eservice at <https://www.puc.pa.gov/filing-resources/efiling/>.

If your filing contains confidential material, you are required to file by overnight delivery to ensure the timely filing of your submission. There are certain filings that cannot be eFiled, such as filings containing confidential or proprietary material. These must be submitted to the Secretary by overnight delivery, priority, or certified mail to allow tracking of your filing.

If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code §§ 1.31 and 5.44, file a Petition for Reconsideration from Staff Action (Petition) with the Commission within twenty (20) days of the date of this letter. The Petition shall be eFiled with the Secretary of the Commission or sent to: Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120, and must be filed within twenty (20) days, or if no timely request is made, the action will be deemed to be a final action of the Commission.

The Petition MUST include: (1) a written statement (divided into numbered paragraphs) outlining the reasons for the request; (2) the case docket number (it is provided for you at the top right-hand corner of this letter); (3) the party on whose behalf the petition is made; (4) a Certificate of Service on the other parties of record; and (5) a Verification with original signature in accordance with 52 Pa. Code § 1.36.

Very truly yours,



Rosemary Chiavetta
Secretary